

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

TREVOR K. RYAN,

Defendant.

ORDER

10-cv-295-bbc
08-cr-164-bbc

The parties have stipulated to the entry of an order by this court finding that defendant Trevor K. Ryan's motion for post conviction relief under 28 U.S.C. § 2255 was timely filed solely under the due diligence provision of § 2255(f)(4) and that the court vacate the criminal judgment imposed on defendant on March 12, 2009 and reimpose an amended criminal judgment and commitment to permit defendant to take a direct appeal of his conviction and sentence. In accordance with the stipulation, the order will be entered.

ORDER

IT IS ORDERED that defendant Trevor K. Ryan's motion for post conviction relief

under 28 U.S.C. § 2255 was timely filed solely under the due diligence provision of § 2255(f)(4). FURTHER, IT IS ORDERED that the judgment and commitment entered in case 08-cr-164-bbc is VACATED and REIMPOSED as of the date of this order, to allow defendant to take a direct appeal of his conviction and sentence. The clerk of court is directed to close case 10-cv-295.

Entered this 16th day of March, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge